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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,755	02/25/2002	Herve Benoit	PHFR 010022	8281

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,755

Applicant(s)

BENOIT, HERVE

Examiner

Christopher J. Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 1, and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/05/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: In the instant specification the word "hypothesis" appears to mean "embodiment".

Appropriate correction is required.

Claim Objections

Claims 1 and 8 are objected to because of the following informalities: Claim 1's use of bullets is not in conformance with the USPTO standard of specifications. Appropriate correction is required.

Claim 8 depends on itself (claim 8). Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Newby US 6,115,821.

As per claim 1, Newby teaches a system to process and decoded signals in order to convert them into output stimuli understood by a user, (Col 3 lines 5-17). Newby teaches use of a decoder, (Col 5 lines 28-35). Newby teaches an output device, (Col 4 lines 1-10). Newby teaches descrambling means activated by an enabling signal, (Col 6 lines 1-20). Newby teaches descrambling means comprise hardware activated by said enabling signal, (Col 5 lines 43-60).

As per claim 3, Newby teaches the enabling means are incorporated in the decoder, (Col 5 lines 21-24, Col 6 lines 33-36).

As per claims 5, and 6 Newby teaches a smart card interfacing with the decoder to provide the enabling means via an enabling signal, (Col 7 lines 20-34).

As per claim 8, Newby teaches use of a smart card, (Col 7 lines 27, 61).

As per claim 9, Newby teaches where enabling means are provided through real-time data exchange, via multiple means of communication (Col 3 lines 40-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newby US

6,115,821 in view of Gammie US 5,029,207.

As per claim 2, Newby does not teach that the descrambler is in the decoder. Gammie teaches that the descrambler is in the decoder, (Fig 2).

It would have been obvious to one of ordinary skill in the art to use the method of Gammie with the system of Newby because by combining the descrambler with the decoder the system is smaller and more efficient.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newby US

6,115,821 in view of "Functional Model of a Conditional Access System" EBU Project Group.

As per claim 4, Newby does not teach where the decoder is incorporated into the output device, EBU teaches that the decoder may be part of an output device, (pg 71, 4.1 Paragraph 2). It would have been obvious to one of ordinary skill in the art to integrate the system with the output device to make the system smaller and more user friendly.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newby US

6,115,821 in view of Della Valle EP 1 168 137 A1

As per claim 7, Newby teaches a smartcard memory for storing protected information, but fails to teach a detachable smart card reader.

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Della Valle teaches a detachable smart card reader capable of interacting with a device and a smartcard, [0011], [0023], Fig 1.

It would have been obvious to one of ordinary skill in the art to use the portable smart card reader of Della Valle with the system of Newby to enhance the security to prevent unwanted users from accessing the system.

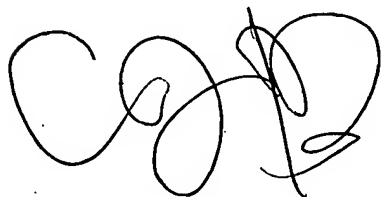
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

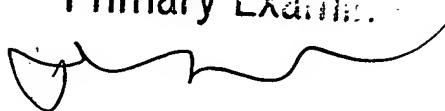
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown



6/23/05

David Y. [unclear]
Primary Examiner



6/25/08